

From: Dawenico
To: Microsoft ATR
Date: 1/23/02 1:24am
Subject: Microsoft

David F. Brown

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January 22, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 205301

Dear Mr.. Ashcroft:

For over three years now, Microsoft has been undergoing antitrust hearings in the federal courts. For a while, it seemed that the only solution that the plaintiffs would accept was the dissolution of Microsoft. Thankfully, the courts determined that such actions were unnecessary, and appointed a mediator to oversee negotiations between the Department of Justice and Microsoft. It was only after six months of continuous negotiation that Microsoft and the Justice Department were able to settle on a broad range of terms and conditions that would not only prohibit further violations on the part of Microsoft, but also restore fair competition to the technology market.

There is no reason to take additional federal action against the Microsoft Corporation. Were the settlement too lenient, as Microsoft's competitors claim, it would have done nothing to prevent future antitrust violations. But the settlement not only stops Microsoft from engaging in monopolistic behavior, it also extends these restrictive conditions to products and procedures not found to be unlawful by the

Court of Appeals. Were the settlement any harsher, Microsoft would suffer severe losses that would be reflected in the economy and the technology industry. I believe this settlement is in the best interests not only of Microsoft and its competitors, but also of America as a whole.

Microsoft has agreed to a wide range of restrictions and obligations, all of which will restore a competitive balance to the technology market. For example, Microsoft has agreed to refrain from entering into any contract that would require a third party to distribute or promote Microsoft technology either exclusively or at a fixed percentage. Additional litigation can only mean trouble for the IT industry and the American economy. I urge you and your office to support the settlement and move on.

Sincerely,

David F. Brown